



**OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.**

Attorneys at Law

1745 Broadway, 22nd Floor
New York, New York 10019
Telephone: 212.492.2500
Facsimile: 212.492.2501
www.ogletreedeakins.com

Aaron Warshaw
212.492.2509
aaron.warshaw@ogletreedeakins.com

May 26, 2015

VIA ECF and OVERNIGHT MAIL

The Honorable Leonard D. Wexler, U.S.D.J.
U.S. District Court for the Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, New York 11722

RE: Thomas Michael King v. MYC Resort, LLC d/b/a Montauk Yacht Club,
E.D.N.Y., Case No. 14-CV-6235(LDW)(GRB)

Dear Judge Wexler:

As Your Honor is aware, we represent defendant MYC Resort LLC in the above-named action. Enclosed please find a Stipulation and Proposed Order of Dismissal Without Prejudice.

Thank you for Your Honor's attention to this matter.

Respectfully submitted,

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By s/ Aaron Warshaw
Aaron Warshaw
1745 Broadway, 22nd Floor
New York, New York 10019
(212) 492-2500

Attorney for Defendant

Enclosure

CC: Steven Moser, Esq. (via ECF only)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
:
THOMAS MICHAEL KING, individually and on :
behalf of all others similarly situated, :
:

Plaintiff, :
:

-against- :
:

MYC RESORT, LLC d/b/a MONTAUK YACHT :
CLUB, :
:

Defendant. :
:
----- X

No. 14-CV-6235(LDW)(GRB)

STIPULATION AND PROPOSED ORDER OF DISMISSAL WITHOUT PREJUDICE

For the reasons stated by the Court at the conference on May 19, 2015, the Court hereby orders, and the parties hereby stipulate and agree, to proceed in binding arbitration in accordance with the Dispute Resolution Agreements entered into between the parties on or about April 18, 2011, March 23, 2012, and March 20, 2013.

IT IS FURTHER stipulated and agreed between the parties, through their respective counsel, that the Complaint be dismissed, without costs or attorneys' fees to any party, without prejudice to be reopened upon application of any party wishing to appeal the arbitrator's final determination.

Dated: Glen Cove, New York
May 26, 2015

Dated: New York, New York
May 26, 2015

By: /s/ Steven J. Moser
Steven J. Moser
Steven J. Moser, PC
3 School Street, Suite 207B
Glen Cove, New York 11542
516-671-1150
smoser@moseremploymentlaw.com

By: /s/ Aaron Warshaw
Aaron Warshaw
Ogletree, Deakins, Nash, Smoak
& Stewart, P.C.
1745 Broadway, 22nd Floor
New York, New York 10019
212-492-2500
aaron.warshaw@ogletreedeakins.com

Attorney for Plaintiff

Attorney for Defendant

SO ORDERED:

Dated: New York, New York
May __, 2015

Hon. Leonard D. Wexler, U.S.D.J.

21309497.2